

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF ALABAMA
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UNITED STATES OF AMERICA)

2006 JUL 12 P 12:42

Plaintiff,)

vs.)

BRENDA J. PENN)

Defendant.)

DEBRA D. HACKETT, CLK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

Case No.: 2:05cr315-SRW

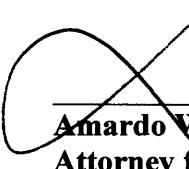
MOTION FOR CONTINUANCE

COMES NOW, Defendant Brenda J. Penn, by and through his undersigned counsel and move this Honorable Court for a continuance of the trial set for July 17, 2005 in the above-styled cause. In support thereof, defendant shows the court as follows:

1. The defendant and the government have agreed to dispose of this case via pre-trial diversion. There is a pending pre-trial diversion investigation and this cause will not be ready for trial as scheduled. The defendant and the government are in agreement that a continuance is in order. Further counsel for the defendant will be out of the country.
2. Contemporaneously filed herewith is a notice of waiver of speedy trial and the defendant's waiver of her right to a speedy trial.

WHEREFORE, PREMISES CONSIDERED, defendant moves the court for a continuance of the trial.

Respectfully submitted,


Amardo Wesley Pitters, Esquire
Attorney for the Defendant
Attorney Bar Code: PIT025

OF COUNSEL:

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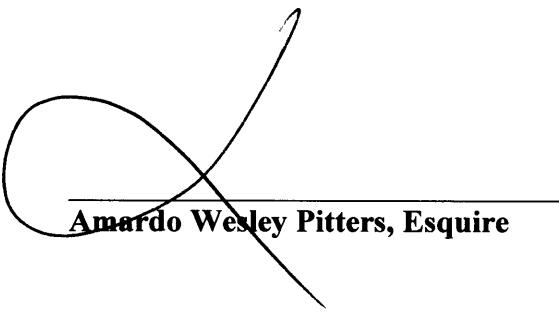
CERTIFICATE OF SERVICE

I hereby certify that on this the 12 day of July, 2006, a copy of the foregoing was duly served upon the following counsel of record:

Hon. Kent Brunson
Assistant United States Attorney
Office of the United States Attorney
Criminal Division
Middle District of Alabama
Post Office Box 197
Montgomery, Alabama 36101-0197

Hon. Neal B. Frazier
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by United States Mail.


Amardo Wesley Pitters, Esquire